

JUL 21 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

JULIO ENSASTIGA ALEJO,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-76302

Agency No. A91-714-944

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 17, 2006^{**}

Before: B. FLETCHER, HAWKINS and THOMAS, Circuit Judges.

This is a petition for review of an order denying petitioner's application for cancellation of removal for lack of a qualifying relative. Petitioner's argument raised in his opening brief that the qualifying relative requirement for cancellation

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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of removal violates equal protection lacks merit. *See Ram v. INS*, 243 F.3d 510, 517 (9th Cir. 2001)(“‘[L]ine-drawing’ decisions made by Congress or the President in the context of immigration and naturalization must be upheld if they are rationally related to a legitimate government purpose.”); *Molina-Estrada v. INS*, 293 F.3d 1089, 1093-94 (9th Cir. 2002) (concluding that petitioner who failed to show evidence of qualifying relative was ineligible for cancellation of removal). Accordingly, respondent’s motion for summary affirmance is granted. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard for summary disposition).

PETITION FOR REVIEW DENIED.